

### **REMARKS**

In the October 31, 2005 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

#### ***Status of Claims and Amendments***

In response to the October 31, 2005 Office Action, Applicant has amended the claims as indicated above. Thus, claims 1-13 and 15-20 are pending, with claims 1, 2 and 16 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

#### ***Interview Summary***

On January 25, 2006, the undersigned conducted a personal interview with Examiner Bellinger, who is in charge of the above-identified patent application. During the interview, it was pointed out that Dixon et al discloses an embodiment in Figure 2 and another embodiment in Figure 4B. The embodiment of Figure 4B does not disclose an external portion 44. The motivation as to why one of skill in the art would combine Dixon et al and Terry was discussed. Applicant wishes to thank Examiner Bellinger for the opportunity to discuss the above-identified patent application during the Interview of January 25, 2006.

#### ***Rejections - 35 U.S.C. § 103***

In paragraph 2 of the Office Action, claims 1, 2, 4-16 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,024,413 (Dixon et al) in view of U.S. Patent No. 416,190 (Terry). In paragraph 3 of the Office Action, claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dixon et al in view of Terry and further in view of U.S. Patent No. 1,722,855 (Owen et al). In paragraph 4 of the Office Action, claims 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dixon et al in view of Terry and further in view of U.S. Patent No. 6,443,533 (Lacombe et al).

Independent claims 1, 2 and 16 clearly recite a spoke attachment portion with an interior surface that is free from contact with a reinforcement member. Clearly this arrangement is *not* disclosed or suggested by Dixon et al, Terry or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification.

On page 3 of the Office Action, the Office Action cites column 7, lines 57-61 of Dixon et al. Column 7, lines 57-61 refer to an embodiment having an internal portion 42 that is internally threaded and attached to a spoke. As can be seen in Figure 4B, the internal portion 42 is on the internal surface of the rim. Therefore, Dixon et al does not disclose a spoke attachment portion with an interior surface that is free from contact with a reinforcement member.

Terry does not remedy the deficiencies of Dixon et al. Terry discloses a solid, wooden felly H. Therefore, since the felly H is solid, *the felly H has no interior surface*. Therefore, it is unclear how Terry can teach one of ordinary skill in the art to provide an interior surface that is free from a reinforcement member. Furthermore, the head E of Terry is internally threaded just as the internal portion 42 of Dixon et al is internally threaded. In addition, the head E is not contacting an outer surface of the felly H just as the internal portion 42 of Dixon et al is not contacting an outer surface of the rim. Accordingly, Applicant respectfully submits that one of skill in the art would not combine Dixon et al with Terry since the felly H has no interior surface and the head E and the internal portion 42 have comparable structural characteristics, which teach away from an interior surface free from a reinforcement member.

On page 4 of the Office Action, the Office Action proposes threading the thimble *f* of Terry in order to eliminate the need for spoke nipples. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." MPEP §2143.02 citing *In re Ratti*, 123 USPQ 349 (CCPA 1959). Applicant respectfully submits that one of skill in the art would not eliminate the head E and thread the thimble *f* ***because it would cause the invention of Terry to be inoperable***. A space *g* is formed between the head E and the felly H. This space *g* ***allows movement of the spoke D***. Accordingly, if thimble *f* is threaded to directly attach to the spoke D, ***no movement of the spoke D will be possible***.

Moreover, Owen teaches ***permanently and immovably*** fixing the spoke *a* to the rim *b*. In contrast, Dixon et al is directed to a means for easily replacing broken spokes. See, for example, column 7, lines 57-61. Therefore, a complete reconstruction and redesign would be required in order to integrate the teachings of Owen with Dixon et al and Terry.

Applicant respectfully submits that Lacombe does not remedy the deficiencies of Dixon et al, Terry and Owen in that the claimed spoke attachment portion and reinforcement members are not disclosed.

In addition, Applicant wishes to point out that independent claim 2 requires that the reinforcement member be bonded to the spoke attachment portion by melting metal. Nowhere in Dixon et al or Terry is such a bond disclosed or suggested. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicant's unique bicycle rim.

Moreover, Applicant believes that the dependent claims are also allowable over the prior art of record in that they depend from independent claims 1, 2 and 16, and therefore are


allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 2 and 16, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

***Conclusion***

In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-13 and 15-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
David J. McCrosky  
Reg. No. 56,232

SHINJYU GLOBAL IP COUNSELORS, LLP  
1233 Twentieth Street, NW, Suite 700  
Washington, DC 20036  
(202)-293-0444

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